

FILED 10 JAN 11 1452 USDC ORP

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CLATSOP DIKING IMPROVEMENT
COMPANY #9,

Plaintiff,

Civil No. 09-1081-PK
Portland Division
O R D E R

v.

DUCKS UNLIMITED, INC., *et al.*,

Defendants.

HAGGERTY, District Judge:

Magistrate Judge Papak has issued a Findings and Recommendation [20] in this action.

The Magistrate Judge recommended that plaintiff's Motion to Remand [5] should be granted, and that this court should remand the case to the Circuit Court of the State of Oregon for the County of Clatsop in Astoria, Oregon. No objections to the Findings and Recommendation were filed, and the case was referred to this court.

The matter is now before this court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. United States Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. This court adopts the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Magistrate Judge's Findings and Recommendation [20] is adopted. Plaintiff's Motion to Remand [5] is granted, and this case is remanded to the Circuit Court of the State of Oregon for the County of Clatsop in Astoria, Oregon.

IT IS SO ORDERED.

Dated this 11 day of January, 2010.



Ancer L. Haggerty
United States District Judge